

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Chang Gilford, d/b/a Advantage Real Estate
Group, Inc.,

Plaintiff

v.

Kevin Campbell,

Defendant

Case No. 2:23-cv-00651-CDS-VCF

**Amended Order Adopting Magistrate
Judge's Report & Recommendation and
Remanding**

[ECF No. 3]

On June 12, 2023, I issued an order adopting the Magistrate Judge Cam Ferenbach's report and recommendation (R&R) in its entirety. ECF No. 4. In that order, I erroneously included language dismissing this case without prejudice and entered judgment instead of remanding it to the Las Vegas Township Justice Court as recommended in the R&R. *See* R&R ECF No. 3.

Rule 60(a) of the Federal Rules of Civil Procedure provides that a "court may correct a . . . mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record. The court may do so on motion or on its own, with or without notice." Accordingly, the court VACATES its previous order (ECF No. 4), and issues the following amended order:

Magistrate Judge Ferenbach recommended that this matter be remanded to state court because pro se defendant Kevin Campbell failed to establish a basis removal. ECF No. 3 at 3. Under this district's local rules, the deadline for Campbell to object to the R&R was June 6, 2023, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1); LR IA 3-1(a) (stating that parties wishing to object to the R&R must file objections within fourteen days). Although I am not required to review Judge Ferenbach's R&R,¹ I nonetheless reviewed it and agree with his

¹ "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed." *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 149–150 (1985).

1 findings; the complaint is bereft of any details or allegations that would support this court's
2 exercise of jurisdiction over the matter. As a result, this matter must be remanded.

3 IT IS THEREFORE ORDERED that Magistrate Judge Ferenbach's Report and
4 Recommendation [ECF No. 3] is ADOPTED in its entirety.

5 IT IS FURTHER ORDERED that the judgment in favor of Kevin Campbell against
6 Chang Gilford is STRIKEN.

7 The Clerk of Court is directed to REMAND this case to the Las Vegas Township Justice
8 Court,² Case Nos. 23E004103 and 23E026017, and to close this case.

9 DATED: November 16, 2023

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11 Cristina D. Silva
12 United States District Judge
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25 ² Campbell later removed a second case to this court (*see* Case No. 2:23-cv-01353-CDS-NJK), but again
26 failed to provide any information about the underlying state court case—such as the case number or copy
of the complaint. Because it is unclear which Justice Court case this matter is related to, the court cites to
both cases.